

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Sequence, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: November 13, 2006 Signature: \_\_\_\_\_

(Thomas M. Palisi)

Docket No.: REGIM 3.3-076  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Philippe Erbs

Application No.: 10/565,230

Group Art Unit: N/A

Filed: January 20, 2006

Examiner: Not Yet  
Assigned

For: POLYPEPTIDE HAVING AN IMPROVED  
CYTOSINE DEAMINASE ACTIVITY

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT  
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID  
SEQUENCE DISCLOSURES**

**MAIL STOP SEQUENCE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures, dated September 13, 2006.

In order to comply with the requirements directed to sequence listings, Applicants hereby claim the benefit of the filing date of PCT/IB2004/002505 filed June 29, 2004 which claims the benefit of the filing date of United States Provisional Patent Application 60/508,274 filed October 6, 2003, in which a Sequence Listing in paper form was submitted.

To comply with the Notice, Applicants enclose a Sequence Listing in computer readable form under Rule 1.821(e), and a Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§ 1-821-1.825. Further, enclosed is a substitute paper copy of the Sequence Listing and a Preliminary Amendment directing incorporation of the substitute paper copy of the Sequence Listing into the Specification.

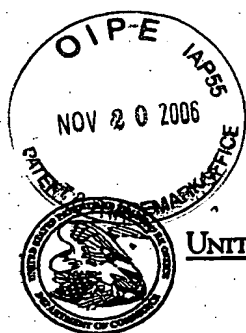
The Examiner is encouraged to contact the undersigned if there are any questions concerning this correspondence, he or she is requested to call Applicant's attorney at (908) 654-5000. If any additional fees are required by the present Communication, the Examiner is hereby authorized to charge them to our Deposit Account No. 12-1095.

Dated: November 13, 2006

Respectfully submitted,

By 

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## UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/565,230	Philippe ERBS	REGIM 3.3-076

INTERNATIONAL APPLICATION NO.
PCT/IB04/02505

I.A. FILING DATE	PRIORITY DATE
06/29/2004	07/21/2003

000530  
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13 NOV 2006

SLR

CONFIRMATION NO. 2237

371 FORMALITIES LETTER



\*OC000000020396045\*

Date Mailed: 09/13/2006

**NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

SEP 18 2006

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- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed

to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/565,230	PCT/IB04/02505	REGIM 3.3-076

FORM PCT/DO/EO/822 (371 Formalities Notice)